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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

HCL PARTNERS LIMITED PARTNERSHIP, on behalf of itself and all others similarly situated, Plaintiff, v. LEAP WIRELESS INTERNATIONAL, INC., S. DOUGLAS HUTCHESON, AMIN I. KHALIFA, GRANT A. BURTON, MICHAEL B. TARGOFF, JOHN D. HARKEY, ROBERT V. LaPENTA, and PRICEWATERHOUSECOOPERS, LLP, Defendants.	LEAD CASE NO. 07-CV-2245 (BTM) (NLS) Consolidated with Case No. 08-CV-0128 (BTM) (NLS) CLASS ACTION **PROOF OF SERVICE OF DEFENDANT LEAP WIRELESS INTERNATIONAL, INC.'S MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT**
KENT CHARMICHAEL, Individually and on behalf of all others similarly situated, Plaintiff, v. LEAP WIRELESS INTERNATIONAL, INC., *et al.*, Defendants.	Hearing Date: November 21, 2008 Hearing Time: 11:00 a.m. Courtroom: 15 The Honorable Barry Ted Moskowitz, United States District Court Judge No Oral Argument Unless Requested By Court

PROOF OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 600 West Broadway, Suite 1800, San Diego, CA 92101-3375.

On **August 28, 2008**, I served the following document described as:

DEFENDANT LEAP WIRELESS INTERNATIONAL, INC.'S NOTICE OF MOTION AND MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT;

DEFENDANT LEAP WIRELESS INTERNATIONAL, INC.'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT;

DECLARATION OF WENDY P. HARPER IN SUPPORT OF DEFENDANT LEAP WIRELESS INTERNATIONAL, INC.'S MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT; and

DEFENDANT LEAP WIRELESS INTERNATIONAL, INC.'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT;

by serving a true copy of the above-described document in the following manner:

BY ELECTRONIC FILING

I am familiar with the United States District Court, Southern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities. Under said practice, the following CM/ECF users were served:

Lead Counsel for Plaintiff New Jersey Carpenters Pension and Benefit Funds Samuel P. Sporn, Esq. Joel P. Laitman, Esq. Christopher Lometti, Esq. Jay P. Saltzman, Esq. Ashley Kim, Esq. Frank R. Schirripa, Esq. Daniel B. Rehns, Esq. SCHOENGOLD SPORN LAITMAN & LOMETTI, P.C. 19 Fulton Street, Suite 406 New York, New York 10038 Tel: 212-964-0046 / Fax: 212-267-8137 Email: chris@spornlaw.com	*Liaison Counsel for Lead Plaintiff New Jersey Carpenters Pension and Benefits Fund* Lionel Z. Glancy, Esq. Andy Sohrn, Esq. GLANCY BINKOW & GOLDBERG LLP 1801 Avenue of the Stars, Suite 311 Los Angeles, CA 90067 Tel: 310-201-9150 / Fax: 310-201-9160 Email: asohrn@glancylaw.com

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I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 28, 2008, at San Diego, California.

Andrea Rasco